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Keeping Up With the Profs

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Keeping Up With the Profs

The following compilation briefly describes some recent scholarly pursuits and civic activities of our law professors. If you would like a reprint of an article, its citation, or any additional information, Ilene Fleischmann will be happy to help. Give her a call at (716) 636-2107.

Associate Dean Lee A. Albert recently contributed a paper on federal grants-in-aid to the *Encyclopedia of American Constitutional Law* and has been engaged in research on AIDS testing issues.

Albert appeared frequently on television as a special guest on WKBW's "AM Buffalo," "Mind Over Myth" and "Eye-witness News" to discuss the significance of the U.S. Supreme Court's recent ruling on abortion. He also spoke at the Jewish Center of Greater Buffalo on "The Impact of the Reagan Supreme Court."

He will be on sabbatical during the spring term, residing in England where he will be an academic visitor at the London School of Economics.

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Professor James B. Atleson presented a paper titled "The Continuing Effects of Labor Regulation During World War II" at York University in Ontario. He also recently published "The Prospects for Labor Law Reform" in the *Journal of Policy Studies*.

In the spring, he also gave a talk on "The Prospect for Legal Change in Historical Perspective" to the secretary-treasurers of the AFL-CIO at a conference in Myrtle Beach, S.C. He presented a paper dealing with regulation of labor during World War II at Osgoode Hall University in Toronto.

Atleson is a member of the new ad hoc faculty advisory committee on law school activities of the New York State Bar Association's Labor and Employment Law Section.



Associate Dean Lee A. Albert

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Professor Dianne Avery published "Images of Violence in Labor Jurisprudence: The Regulation of Picketing and Boycotts 1894-1921" in the *Buffalo Law Review*. She utilized a grant from the William J. Magavern Fellows Fund to research an article: "Federal Labor Rights and Access to Private Property." She was recently elected a member of the prestigious Labor Law Group, an organization of leading labor law scholars, and serves as a director on the board of the Law Alumni Association.

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Professor Robert S. Berger received a program development grant from the Canadian embassy in his role as chair of the University's Canadian-American Studies Committee. He was the principal organizer for the Law School's 1988 Mitchell Lecture and moderated the colloquium titled "Language as Violence Versus Freedom of Expression: Canadian

and American Perspectives on Group Defamation."

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Professor Guyora Binder's book *Treaty, Conflict and Political Contradiction* was published in 1988 by Praeger. An article, "Mastery, Slavery and Emancipation," appeared in the spring issue of the *Cardozo Law Review*. Another article, "Representing Nazism: Advocacy and Identity at the Trial of Klaus Barbie," appeared in the spring *Yale Law Journal*. He presented research on Lincoln's constitutional thought this fall at the American Legal History Association Conference in San Francisco.

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Professor Jeffrey M. Blum presented a paper to the Law and Society Association on "The Role of Historical Social Psychosis in the War on Drugs."

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Professor Barry B. Boyer, director of the Baldy Center for Law and Social Policy, wrote "Creating, Managing and Postponing Conflict Through Remedial Action Plans" for *Environmental Dispute Resolution in the Great Lakes Program: A Critical Appraisal*, a monograph for the SUNY Great Lakes Program; and "The Federal Trade Commission and Consumer Protection Policy: A Post-Mortem Examination," a chapter in *Making Regulatory Policy* for the University of Pittsburgh Press.

Boyer received a faculty enrichment award from the government of Canada to add Canadian content to his new Great Lakes seminar. He also received a grant to support student research for the Baldy Center.

He presented papers on "Remedial Action Planning and Environmental Conflict" at Syracuse University and "Implementing an Ecosystem Approach:



Professor James B. Atleson

National and International Obstacles" in collaboration with Professor Virginia Leary at the Colloquium on Emerging Issues in the Great Lakes held in April at UB.

Boyer was on the planning committee for the International Conference on Health Effects of Toxic Chemicals in the Great Lakes Basin, held at UB in October.

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Elizabeth F. Buckley has joined the law faculty as a part-time professor and is teaching Commercial Paper and Sales and Secured Transactions. She graduated cum laude from UB Law in 1980. Her experience includes a clerkship with Judge John T. Curtin, practice as an associate with the Buffalo law firm of Jaekle, Fleischmann and Mugel, and work as an attorney for Neighborhood Legal Services.

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Professor Jamie Cameron of Osgoode Hall Law School in Toronto spent the fall semester at UB as a visiting professor and guest of the Canadian-American program. She is teaching a seminar on Comparative Constitutional Law. Professor Cameron spoke on free speech issues at the Mitchell Lecture.

Professor Charles E. Carr is a pro bono consultant for the Cultural Communications Network Inc., a local non-profit educational group that is attempting to secure an FCC license for a radio station. He also chairs the Community Alliance for Minority Adoption, a program of the Buffalo Urban League, and serves on the City of Buffalo Board of Ethics.

He recently completed an article, "Voices, Text and Technology: The Law of Evidence Confronts Transcripts."

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Professor Louis DelCotto, who teaches Tax I, Tax II, Taxation of Corporations and Shareholders, and Taxation of Corporate Reorganizations, has been busily revising and expanding his teaching materials to reflect the far-reaching changes enacted by the 1986 and 1987 Tax Reform Acts.

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Professor David M. Engel has a grant to study families of children with physical disabilities and their dealings with school authorities.

He presented a paper on "Discourse and Power in Special Education" to the Law and Society Association. He also wrote "Otherness and the Right to Education: Culture, Conflict and Disability" for the Baldy Center for Law and Policy, where he is a member of the Working Group on Law and Disabilities.

Engel spoke on "Special Education Law: Parents' and Children's Involvement" to the Consortium on Children, Families and the Law. He serves on the editorial board of the *Law and Society Review*.

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Professor Charles P. Ewing had two articles accepted for publication. "Ultimate Opinion Proscriptions: A Cosmetic Fix and a Plea for Empiricism" (co-authored with Richard Rogers) will be published in *Law and Human Behavior*. "Student and Voter Subjects: Differences in Attitudes Toward Battered Women" (co-authored with Moss Aubrey) will be



Professor David M. Engel

published in the *Journal of Interpersonal Violence*.

Ewing spoke on psychological self-defense at the Annual Meeting of the Ontario Psychological Association in February. He was the keynote speaker at the Annual Meeting of the Erie County Coalition Against Family Violence and at the Annual Meeting of the Coalition of Legal and Mental Health Professionals. He also gave a talk on child custody and visitation to the Western New York Coalition of Women for Child Support and discussed how to respond to problems of battered women at the annual meeting of the American Baptist Women of Erie County, among many other lectures.

Ewing is co-editor of the journal *Behavioral Sciences and the Law*.

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Dean David B. Filvaroff has been appointed by Hon. Sol Wachtler, chief judge of New York, to serve on the State Judicial Ethics Commission. The commission is responsible for establishing and administering a system of financial reporting by all judges and employees of the state judicial system.

Dean Filvaroff also recently made a presentation and was a panelist at the annual meeting of the American Political



Associate Dean Ellen M. Gibson

Science Association in Atlanta. The panel, which included Atlanta mayor (and probable Georgia gubernatorial candidate) Andrew Young, marked the 25th anniversary of the Civil Rights Act of 1964. As special assistant to the attorney general of the United States at the time, the dean played a significant role in the drafting and passage of that watershed legislation.

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Professor Alan D. Freeman published "Racism, Rights and the Quest for Equality of Opportunity" in the *Harvard Civil Rights-Civil Liberties Law Review*. Freeman also contributed three articles to the *Buffalo Law Review's* constitutional law symposium issue. He presented a paper on "The Place of Religion in Legal and Political Discourse" at the annual meeting of the American Association of Law Schools, among numerous other formal presentations and informal talks. A presentation he gave at the AALS on promoting diversity in law school faculty hiring was reprinted in the *New York Times*.

Freeman and his wife, Professor Elizabeth Mensch, recently returned from New Orleans, where they gave a presentation at Tulane Law School on

"Animals, Theology and Abortion." They have written six articles for *Tikkun* magazine on topics as varied as "The Existential Politics of Dr. Seuss" to "Living With Non-Human Reality: The Limits of Rationality/The Recovery of Context."

Freeman has become a regular commentator on constitutional law for the Buffalo radio station WBFO-FM.

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Professor Ellen M. Gibson, associate dean for legal information services and director of the Law Library, has been awarded the 1989 Joseph L. Andrews Bibliographical Award for her *New York Legal Research Guide*. The Andrews Award is named in honor of the reference librarian for the Association of the Bar of the City of New York from 1930 to 1965. It has been presented since 1967 by the American Association of Law Libraries for "significant contribution to legal literature." Gibson received a plaque at the opening function of the AALL annual meeting in June.

She also has been named project director on a grant for \$65,000 from Mead Data Central for the purpose of cataloging the LEXIS database file. The project is projected to take 18 months and is a pilot effort unique in the library world.

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Professor Marjorie Girth was presented the 1988 Achievement Award of the Erie County Commission on the Status of Women, for leadership of their task force and the legislative effort that produced the commission. She is also a consultant on local governments' financial problems.

Girth presented a paper on "Protecting the Debtor's Assets" at the National Conference of Bankruptcy Judges. She also gave a lecture on "Gender Discrimination: A Continuing Challenge" to the Western New York School Superintendents Administration Study Group, and also to the teachers of the Fredonia Central School District.

She has spoken extensively to com-



Professor Ronald M. Hager

munity groups on her trip to the Soviet Union last year.

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University Provost William R. Greiner, who is a former associate dean of the Law School, has been named chair-elect of the Council on Academic Affairs of the National Association of State Universities and Land-Grant Colleges (NASULGC). He will serve one year as chair-elect and a second as chair. The Academic Affairs Council represents the chief administrative officers responsible for academic affairs at member colleges and universities and is one of eight councils that make up the organization.

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Professor Ronald M. Hager, who supervises the Education Law Clinic, worked as a pro bono consultant for Autistic Services Inc. to establish a new educational program for autistic children. He is also a consultant to numerous agencies, clinics, attorneys, schools and parents on the rights of handicapped children. He lectured on "Securing Special Education Services: A New Opportunity for Private Practitioners" to the Erie County Bar Association's Disability Committee, among other presentations.

Professor Philip Halpern is serving as associate dean for student affairs while Isable Marcus is on leave. A graduate of the University of Pennsylvania, magna cum laude, Halpern was an editor of the *Pennsylvania Law Review*. He served as a law clerk to Judge Stanley A. Weigel of the United States District Court, Northern District, in California. Later, he was an attorney with the Legal Aid Society of New York and an associate with Cooley, Godward, Castro, Hudleston and Tatum in San Francisco.

His teaching and research interests are in criminal law, criminal procedure, evidence and legal profession.

He wrote an article for the *Buffalo Law Review*: "The Confrontation Clause and the Search for Truth in Criminal Trials."

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Professor and former Dean Thomas E. Headrick is director of the new Canadian-United States Legal Studies Center. He presented a paper on "Legal Education and Social Science" at the annual meeting of the Association of Law Schools. He also wrote "Why the Official Reports of the October 1987 Crash Don't Tell Us Why It Happened" for the Law and Society Association. He is co-editor of *Law and Policy*.

Headrick will serve as acting dean of arts and letters in the spring semester.

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Professor Kenneth F. Joyce, who once again won the Faculty Teaching Award in 1989, continues to serve as the executive director of the New York State Law Revision Commission. He made a presentation in April to the legal staff of the Erie County Surrogate's Court on recent legislation in Surrogate's practice. In June, he helped to organize a conference co-sponsored by the New York State Law Revision Commission and Fordham University and spoke on "The Protection of Public Employees Under New York's Whistleblower Laws."

In September, he presented a paper on "The History of Legislative Reform and the Law Revision Commission in New



Professor Kenneth F. Joyce

York" at the annual meeting of the Association of Law Librarians. He also presented papers on "Marital Property Rights" to the Practicing Law Institute; "Testamentary Mistake and Dependent Relative Revocation in New York" to the Surrogate's Association of New York; "Structured Settlements in New York Tort Cases" to the New York Judiciary, and numerous others.

Joyce also serves as the faculty adviser for Moot Court.

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Professor George Kannar was appointed by Governor Mario M. Cuomo to the new State Commission on Local Government Ethics, which has jurisdiction over local public officers and employees. The commission has responsibility for monitoring compliance with a new state law that requires the filing of financial disclosure statements by local government officials and conducts investigations concerning instances of alleged corruption or conflict of interest.

Before coming to the Law School in 1987, Kannar was an attorney for the American Civil Liberties Union for eight years. He was a clerk for the U.S. Court of Appeals for the Second Circuit from 1977 to 1978. A graduate of Yale Univer-

sity and Harvard Law School, he was an investigator for the President's Commission on Campus Unrest and the Ralph Nader Congress Project, as well as domestic policy coordinator for the Mondale-Ferraro campaign and associate director of the 1984 Democratic Platform Committee.

Most recently, Kannar was the author of "Liberals and Crime: The Reclaiming of an Issue," which was published as the cover story in the Dec. 19, 1988, issue of *The New Republic*.

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Professor Muhammad I. Kenyatta spoke on "An Assessment of Civil Rights Litigation — Past, Present and Future" at the Northeast Regional Black Law Students Conference, and on "African-American Perspective on Palestinian Self-Determination," a lecture sponsored by the Palestinian Student Association and the Black Student Union.

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Professor Alfred S. Konefsky wrote "How to Read, or at Least Not Misread, Cardozo in the *Allegheny College Case*" in the *Buffalo Law Review*. He also wrote " 'As Best to Subserve Their Own Interests': Lemuel Shaw, Labor Conspiracy and Fellow Servants" in *Law and History Review*.

Konefsky is a member of the editorial board of *Law and History Review*. He serves on the Publications Committee of the American Society for Legal History.

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Professor Janet Lindgren wrote "Locating the Constitution," an article for *European Contributions to American Studies XV*. She received the Law School's Magavern Fellowship to study and compare Dutch and American housing regulations.

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Professor Isabel Marcus, who served as the Law School's associate dean in spring of 1989, is spending this year in Cambridge, Mass., where she holds a



Errol Meidinger

Radcliffe College Bunting Fellowship. Her studies will delve into "The Construction of Dependency in the Social Security Act," particularly how it affects surviving spouses, children and entire households. She plans to return to the Law School in fall 1990.

Last year, Marcus published two articles in the *Buffalo Law Review*. In the winter 1989 issue, she wrote "Reproductive Technologies: Feminist Perspectives," and in the spring, "Locked In and Locked Out: Divorce Law Reform."

She was invited to address numerous community groups, including the United Jewish Federation on "Feminism: Has It Helped or Hurt Jewish Women?" She debated "Abortion Rights" at State University College at Buffalo and "Womb Wars" at the Erie County Medical Center, among others.

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Professor Errol Meidinger published a book chapter, "The Development of Emissions Trading in U.S. Air Pollution Regulation," in *Making Regulatory Policy* (University of Pittsburgh Press). He also wrote "Forging New Solutions Out of Conflicting Values and Tenuous Institutions" for *Proceedings of the Conference on Environmental Dispute Resolution in the*

Great Lakes Region: A Critical Appraisal.

He presented a paper on "Community and Democracy in Administrative Regulation" at the University of Edinburgh, Edinburgh, Scotland. Meidinger spoke on "Incorporating Regulatory Environments into Regulatory Theory" for the Law and Society Association. He is co-editor of *Law and Policy*.

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Professor Elizabeth Mensch published "Religion, Revival, and the Ruling Class: A Critical History of Trinity Church" in the *Buffalo Law Review*. She also collaborated on numerous articles with her husband, Professor Alan Freeman, that were published in Tikkun magazine and the *Buffalo Law Review*. "A Republican Agenda for Hobbesian American?," an article that discusses popular sovereignty in American history and culture, is completed and will soon be published in the *University of Florida Law Review*.

She spoke about historical perspectives on feminism and contracts at the American Association of Law Schools (AALS) conference on contracts teaching held at Cornell Law School.

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Professor Frank Munger wrote "Law, Change and Litigation: A Critical Examination of an Empirical Research Tradition" in *Law and Society Review*. This article also appeared with revised content in *The European Yearbook in the Sociology of Law*.

He presented three papers to the Law and Society Association meeting in June: "The Legal Resources of Striking Miners," "Placing Law in a Larger Theoretical Context" and "Comment on Sandra Harding's *The Science Question in Feminism*."

He is currently editing a special issue of *Law and Society Review* on historical studies of litigation that will be published early in 1990.

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Professor and former Dean Wade Newhouse was a member of the planning



Professor Elizabeth Mensch

committee for the Annual School Law Conference.

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Professor R. Nils Olsen Jr., director of clinical education, received grants from the U.S. Department of Education, Legal Services Corporation and others to expand teaching in the clinic. He spoke on "Delay in Criminal Appellate Representation in Erie County" at a Law School Public Interest panel.

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Professor Stephanie L. Phillips attended two conferences in Washington, D.C.: "Religion and the Constitution," and "Religion and Public Policy."

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Professor Robert I. Reis serves on the Board of Editors of the *New York Environmental Bar Journal*. He is project director of a grant from the New York State Office of General Services regarding the ownership and use of lands under water. He has recently published a section on mortgages for *Warren's Weed New York Law of Real Property*. During the prior two years he published sections on "Land Under Water," "Adirondack Park Land Use and Management" and "New York

Coastal Zone Management." In addition, he was an author of a multivolume treatise published in 1988 by Matthew Bender called *Real Estate Transactions*.

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Professor Judy Scales-Trent wrote an article on "Black Women and the Constitution: Finding Our Place, Asserting Our Rights," published in the *Harvard Civil Rights-Civil Liberties Law Review*.

She spoke and presented papers on "Intersecting Theories of Race and Gender" at the annual meeting of the Law and Society Association; "Affirmative Action and Stigma" at the National Conference of Women and the Law; "Compound Discrimination Under Title VII and the Equal Protection Clause" at the National Conference on Women and the Law; and "Women of Color and the Constitution" at the University of Tulsa Law School.

She serves on the board of directors of the National Women and the Law Association.

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Professor John H. Schlegel wrote "The Ten Thousand Dollar Question" in the *Stanford Law Review*. He also wrote "The Line Between History and Case-note" for the *Law and Society Review*. He presented a paper on "Problems With and Possibilities for Making Integration of Other Disciplines a Central Mission of a Law School" at Osgoode Hall Law School in Toronto. Schlegel is chair of the Law School's Admissions Committee.

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Professor Palmer Singleton joined the faculty in September and is teaching criminal law. Since 1981, he has been involved exclusively in criminal litigation on behalf of poor people charged with or convicted of capital offenses. Prior to that, he was a Prettyman Fellow in criminal law at Georgetown Law Center in Washington, D.C. Singleton graduated from New York University School of Law in 1981, where he was a member of Order of the Coif.



Professor Victor Thuronyi

Professor Robert J. Steinfeld has been promoted to the rank of full professor with tenure. Steinfeld earned his J.D. at Boston College, an A.M. and Ph.D. at Harvard University and a LL.M. at Harvard Law School. He practiced law with the legal services program in Vermont and later served as special counsel to the public advocate there. In that capacity, he represented consumer interests in utility rate proceedings. He was a Langdell Fellow at Harvard Law School and a graduate fellow in history at Harvard University. His teaching interests are in the areas of rate regulation, corporations and legal history.

He recently wrote "Property and Suffrage in the Early American Republic" for the *Stanford Law Review*. He serves on the Delaware Park Steering Committee.

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Professor Louis H. Swartz, who is also on the faculty of the School of Social Work, has been working on a committee to develop and implement a combined J.D. and M.S.W. degree program. He also serves on the Advisory Committee on the Law Guardian Program, Appellate Division, Fourth Department, Supreme Court of the State of New York.

Professor Anthony H. Szczygiel, who teaches the Legal Services for the Elderly Clinic, lectured on "Medicaid Update: Counseling the Elderly" for the Erie County Bar Association's CLE program. He also spoke on "New Developments in Health Care Coverage for the Elderly" for the Allegany County Health Care Department in Belmont, N.Y.

Szczygiel is president of Farm Workers Legal Services of New York. During the past year, he served as a consultant on health care matters for agencies or community organizations on more than 50 occasions.

He is also the convenor of the Coalition of Medicaid Advocates, an organization of almost 100 attorneys, paralegals and other advocates who represent clients on Medicaid-related issues. In addition to chairing the group, he also writes the monthly newsletter, an update on Medicare, VA, Medicaid and other health issues.

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Professor Victor Thuronyi has accepted a half-time visiting position at Cornell University Law School for the spring 1990 term. He will be teaching Corporate Tax at Cornell and Partnership Tax at UB Law, and commuting once a week.

Thuronyi wrote "The Kiddie Tax: A Reply to Professor Schmolka" in *Tax Law Review*; "Tax Expenditures: A Reassessment" in the *Duke Law Journal*; "Simplification for the Average Taxpayer" in *Tax Notes*; "Tax Reform for 1989 and Beyond" in *Tax Notes*; and "The Taxation of Annuities: A Rejoinder" in *Taxes*.

As president of the Buffalo chapter of Sane/Freeze, he wrote two op-ed pieces advocating the ban of nuclear weapons for The Buffalo News.

Thuronyi presented papers on "The Basic Tax Course" at Harvard Law School and at the Association of American Law Schools Annual Meeting; and "Tax Expenditures" at the John Deutsch Institute for the Study of Economic Policy at Queen's University in Kingston, Ontario, Canada.